IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35996 of 2008
KUSUM DEVI
Versus
STATE OF BIHAR

For the petitioner: Mr. Alok Kumar Sinha, I, Adv.
For the State : Mr. Choubey Jawahar, A.P.P.
---

2 27.8.2008 Heard learned counsel for the petitioner and the State.

Petitioner is facing prosecution under sections 307, 302/34 of the Indian Penal Code and section 27 of the Arms Act.

Learned counsel for the petitioner submits that in the first information report it is alleged that petitioner has handed over gun to her husband Binod Yadav, who fired upon the brother of the informant causing death. He further submits that there is no allegation of overt act against the petitioner and there is specific allegation of overt act against the Binod Yadav. It is further submitted that petitioner is a lady and she is in custody since 4.5.2008.

Learned counsel for the State submits that petitioner has handed over gun to Binod Yadav who fired upon the deceased causing his death.

In the facts and circumstances of the case and the submissions made on behalf of the parties let petitioner Kusum Devi be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of A.C.J.M, Bar in Athmal Gola P.S. case no. 51/08.

WEB COPY NOT OFFICIAL

Rahman/ **(Dr. Ravi Ranjan, J)**